



OFFICE OF THE CITY CLERK ▪ CITY OF BINGHAMTON

Teri Rennia, City Council President

Angela Holmes, City Clerk

BOARD OF ESTIMATE AND APPORTIONMENT

MEETING MINUTES

DPW Conference Room, 3rd Floor City Hall

Wednesday February 12, 2014

Call to Order. Called to order at 11:20am by Richard C. David, Mayor.

Present: Richard C. David, Mayor; Charles Pearsall, Comptroller; Kenneth J. Frank, Corporation Counsel; Philip T. Krey, City Engineer; Gary Holmes, Commissioner of Public Works

Absent: None

Also Present: Angela Holmes, City Clerk; Gerald Kennicutt, Deputy Comptroller; Brian Seachrist, 1st Assistant Corporation Counsel

ITEMS CONSIDERED

Permanent Easement for Portion of 70-72 Court Street. Request to enter into an agreement for a permanent easement for a portion of 72 Court Street, submitted by 33 State Street Associates. Alan Pope, Andrew Urso and Larry Pasquale attended the meeting held January 15, 2014 to discuss the proposal. The Board reviewed this matter, and concluded that any agreement should be limited to the space required for a stairway, but should not include space for a patio. The Board of Contract and Supply approved a Request for Sealed Bids for 70-72 Court Street at a meeting held on February 12, 2014. Such Request for Sealed Bids includes a restriction stating that the sale would be subject to a permanent easement for pedestrian ingress and egress from a basement stairwell at 92 State Street, but that construction above the stairwell would be permitted. Kenneth J. Frank will discuss the details of the permanent easement with Mr. Pope.

Offer to Purchase/Lease 17 Broad Street. Request to purchase or lease space at 17 Broad Street for a new Verizon Wireless communications facility. Leigh McCullen noted for the record that any development would require Planning Commission approval. Proposal is currently being reviewed by Gary Holmes. Item held.

8 Meadow Street. Offer to Purchase 8 Meadow Street for \$100, submitted by Tonya Dakari on December 23, 2013. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement and the Department of Planning, Housing & Community Development on January 2, 2014. Steve Quinn responded on January 3, 2014, stating that this property is one of several properties that the First Ward Action Council is scheduled to purchase and develop under the City's Restore NY grant application and NYS Tax Credit application. Scott Snyder responded on January 3, 2014, confirming that the property is listed as a Restore NY property. Mayor David met with Jerry Willard from First Ward Action Council, who indicated that they are still slated to receive funding for the development of the property. First Ward Action Council should know the outcome within the next few months. Item held pending confirmation of funding for First Ward Action Council.

Approval of Minutes. Request to approve the minutes from the Board of Estimate and Apportionment meetings held on February 5, 2014.

Motion to approve minutes.

Moved by Pearsall, seconded by Holmes.

Motion carried. (Vote 5-0)

Ayes: David, Pearsall, Frank, Krey, Holmes



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Nays: None

Executive Session. Motion to enter into Executive Session at 11:21am to discuss litigation and attorney-client privilege.

Moved by Frank, seconded by Krey.

Motion carried. (Vote 5-0)

Ayes: David, Pearsall, Frank, Krey, Holmes

Nays: None

Reconvene. Called to order at 11:29am by Richard C. David, Mayor.

Present: Richard C. David, Mayor; Charles Pearsall, Comptroller; Kenneth J. Frank, Corporation Counsel; Philip T. Krey, City Engineer; Gary Holmes, Commissioner of Public Works

Absent: None

Also Present: Angela Holmes, City Clerk; Gerald Kennicutt, Deputy Comptroller; Brian Seachrist, 1st Assistant Corporation Counsel

Litigation. Motion to authorize Corporation Counsel to settle *Boland v. City of Binghamton* as discussed in Executive Session.

Moved by Holmes, seconded by Pearsall.

Motion carried. (Vote 5-0)

Ayes: David, Pearsall, Frank, Krey, Holmes

Nays: None

Adjournment. Motion to adjourn at 11:30am.

Moved by Krey, seconded by Holmes.

Voice vote, none opposed.